

AN  
ORDINANCE  
OF THE  
LORDS and COMMONS  
Assembled in  
PARLIAMENT:

FOR  
The present settling (without further delay)  
Of the  
Presbyteriall Government  
In the Church of ENGLAND.

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*Die Veneris 5. Iunii 1646.*

**O***rdere*d by the Lords Assembled in Parliament,  
*That this Ordinance concerning Church-Govern-*  
*ment, be forthwith printed and published.*

*Joh. Brown Cler. Parliamentorum.*

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Imprinted at London for *John Wright* at the  
Kings Head in the old Bayley. 1646.

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ORDINANCE

OF THE

LEGISLATIVE ASSEMBLY

IN

PARLIAMENT

FOR

the purpose of (without prejudice)

to the

Provincial Government

of the State of EXETER

and to the

Legislative Assembly of the State of EXETER

in relation to the

provisions of the

Legislative Assembly of the State of EXETER

in relation to the

provisions of the



*Die Veneris 5. Junii 1646.*

AN  
ORDINANCE  
OF THE  
LORDS and COMMONS  
Assembled in  
PARLIAMENT.



He Lords and Commons in  
Parliament, holding their  
former resolution, That all  
notorious and scandalous  
Offenders shall be kept  
from the Sacrament, have  
thought fit to make a further addition to  
the



the scandalous Offences formerly enumerated, for which men shall be kept from the Sacrament; and least the stay of the enumeration, and the not naming of Commissioners to judge of Cases not enumerated, should hinder the putting in execution the Presbyteriall Government already established: They have thought fit, that in regard that divers persons fit to be Commissioners, according to the said Ordinance of 14 Martii 1645. by reason of the present Distractions, are absent from their habitations, and so cannot doe the service therein, which otherwise they might doe: They doe therefore Ordaine, that in stead and place of Commissioners in the said Ordinance,

**T** Thomas Earle of Arundell and Surry, Algernon Earle of Northumberland, Henry Earle of Kent, John Earle of Scotland, Philip Earle of Pembroke and Montgomery, Robert Earle of Essex, Theophilus Earle of Lincoln, Charles Earle of Nottingham, James Earle of Suffolke, William Earle of Salisbury, John Earle of Bridgewater, Robert Earle of Warwicke, Bazill Earle of Denbigh, James Earle of Middlesex,  
Oliver



Oliver Earle of Bollingbrooke, Edward Earle of Manchester, Edmond Earle of Mulgrave, Henry Earle of Stamford, William Lord Viscount Say and Seale, George Lord Berkley, Francis Lord Dacres, Philip Lord Wharton, Francis Lord Willoughby of Parham, Dudley Lord North, John Lord Hunsdon, Charles Lord Stanhopp, Edward Lord Mountague, William Lord Grey of Warke, John Lord Roberts, William Lord Maynard, Edward Lord Howard of Escrich, Richard Lord Herbert Cherberry, Thomas Lord Bruce.

Francis Rows, Edmond Prideaux Esquires, Sir Henry Vane Senior, John Glyn Esquire, Recorder of London, Sir Robert Harley, Bulstrode Whitlock Esquire, Humphrey Salloway Esquire, Master Sergeant Wilde, Oliver St. John Esquire, his Majesties Solicitor, Sir Benjamin Rudyard Knight, Master Tate, Sir John Slotworthy Knight, John Maynard Esquire, Sir Henry Vane junior Knight, William Pierrepont Esquire, William Wheeler Esquire, Sir William Masbam, Walter Young, Sir John Evelyn Knight, John Selden Esquire, Samuel Browne Esquire, Sir William Strickland, Walter Long Esquire, Herbert Morley Esquire, George Snelling Esquire, Harbottle Grimston Esq. John Boyes Esq. Richard Shuttleworth, Lord Fairfax, Sir John D'Anvers, John Crew Esq. Sir Anthony Irby, Sir John Holland, Sir Philip Stapleton, Luke Robinson Esq. Thomas Westrow Esq. Denzell Hollis Esq. Henry Lucas Esq. Sir John Dreydon, Robert Reynolds Esq. Sir Thomas Middleton, Robert Iennor Esquire, Henry Oxenden Esq. Sir Gilbert Gerrard, Nicholas Stoughton Esq. Sir John Bur-

goyne, Sir Edward Aiscough, John Swynfen Esq. Sir  
 Henry Heyman, Edward Leigh Esq. Sir Thomas  
 Wroth, Samuel Gott Esq. Sir John Bamfield, Wil. Ball  
 Esq. John Palmer Esq. Laurence Whitacre Esq. Sir Ar-  
 ther Hesterigg, Sir Dudley North, Sir VVilliam VVal-  
 ler, Nathaniel Bacon Esq. Richard Edwards Esquire,  
 Luke Hodges Esq. Sir VVilliam Lewis, Francis Allen  
 Esq. Giles Green Esq. John Gourdon Esq. Dennis  
 Bond Esq. Sir Peter VVentworth, Sir Samuel Luke,  
 Edward Bainton Esq. Richard Salloway junior, Si-  
 mon Tbeloall Esq. Oliver Cromwell Esq. Isaac Pen-  
 nington Esq. Alderman of the City of London, John  
 Ven Esq. Doctor John Bond, Sir Richard Onslow, Sir  
 VVilliam Armyn, VVilliam Aiscough Esquire, George  
 Abbot Esquire, Cornelius Holland Esquire, John  
 Blackiston Esquire, Lord Herbert, Sir Walter Erle,  
 Henry Martin Esquire, Sir Thomas Dacres, Richard  
 Browne Esquire, William Ellis Esquire, John Lisle  
 Esquire, William Ashurst Esquire, Sir John Treavor,  
 Sir Nathaniel Barnardiston, Thomas Lord Wenman,  
 Sir Martin Lumley, Samuel Vassall Esquire, Sir Mat-  
 thew Boynton, Iervace Piggott Esquire, John Hut-  
 chinson Esquire, Thomas Hatcher Esquire, James  
 Fiennes Esquire, Valentine Walton Esquire, John  
 Stephens Esquire, Sir John Evelyn of Surry, Thomas  
 Scott Esquire, Thomas Pury Esquire, Henry Peck  
 Esquire, Thomas Hodges of Gloucestershire Esquire,  
 William Leman Esquire, Richard Winwood Esquire,  
 John Lowry Esquire, Sir Martin Lyster, Sir Edmond  
 Fowell, Robert Wallop Esquire, Richard Whitehead  
 Esquire, Nathaniel Hallows Esquire, Robert Brem-  
 ster

ster Esquire, Sir Edward Hungerford, Richard Norton Esquire, Sir Thomas Barnardiston, Sir Thomas Trenchard, Miles Corbet Esquire, Sir Henry Mildmay, Thomas Atkin Esquire, Alderman of the City of London, Lord Cranborne, Roger Hill Esquire, Sir John Barrington, John Trenchard Esquire, Sir John Corbet, Alexander Popham Esquire, Sir Samuel Roll, Sir John Coke, John Nut Esquire, Ralph Ashton Esquire, Richard Barwis Esquire, William Armyne Esquire, Richard Tolson Esquire, Sir Henry Cholmely, Sir Thomas Widdrington, George Fenwick Esquire, Edmond Ludlow Esquire, Lillibon Long Esquire, Francis Drake Esquire, Sir Michael Livesay, Edward Stephens Esquire, Sir William Spring, James Herbert Esquire, Henry Laurence Esquire, John Roll Esquire, Sir John Francklyn, Thomas Sandys Esquire, Sir Thomas Malicaret, Sir William Litton, Nathaniel Fiennes Esquire, William Purefoy Esquire :

Or any nine of them shall be a Committee of Lords and Commons, to adjudge and determine scandalous offences not formerly enumerated, and the Elderships shall proceed in the Examinations of such scandalous offences according to the cautions and restrictions mentioned in the Ordinance of the twentieth of October, 1645. And the said Committee shall have such power, and shall proceed in such sort as is hereafter mentioned.



If any notorious and scandalous offence not formerly enumerated be committed by any within any Eldership, and so after full prooffe shall be found before the Eldership, who shall have power to examine Proofs and Witnesses on both sides, in case both the Elderships and the party complained of do agree, the Proofs and Examinations to be duly taken, the said Eldership shall forthwith certifie the said Offence, with the Proofs, to the said Committee of Parliament, who shall with all convenient speed determine and adjudge the same; But in case the party accused shall finde himselfe grieved, either by the not examination or undue examination of Witnesses, or misentring of the Depositions, in such case he shall forthwith declare the same to the Eldership, who shall relieve him if there be cause, which if they shall not do, then the three Justices of Peace next to the Parish whereof the party complained of is a Member, or any two of them, not being of the same Eldership before whom the Complaint

(7)

plaint lyes, shall have power, and are hereby enabled and required forthwith to examine upon Oath the said Witnesses that were not examined, or were mis-examined, or whose Depositions were mis-entred, and withall convenient speed returne the Examination to the said Committee of Parliament: And in case the said Justices, or any two of them, do not finish their Examination, within six dayes after the Cause shall be presented to them, the Party shall abstaine untill they have finished and certified their Examinations; And the said Committee upon hearing the whole matter from the Eldership and Justices, or either of them, shall adjudge whether the same be a notorious and scandalous offence, and so proved or no. And in case the said Committee shall not adjudge and determine the Case within fourteen dayes after the receipt of the Certificate to them made, the party against whom the said Certificate shall be made, shall abstaine from the Sacrament, untill the Committee shall determine the same, unlesse in the meane time the Party shall shew his repentance for the said Offence, and thereof give satisfacti-

on to the Eldership; And if the said Committee shall adjudge the same not to be a scandalous Offence, or not well proved, the said party shall be admitted to the Sacrament; and if they shall adjudge the same to be a scandalous Offence, and so proved, he shall not be admitted to the Sacrament untill he shall have testified his repentance to the Eldership;

And be it further Ordained, That the Eldership shall either give personall notice to the Party complained of before them, or else leave notice in writing at his dwelling place, of the time and place when and where they will examine Witnesses against him, and also of the time that they will make their Certificate to the Committee of Parliament. And in case information shall be given to the Eldership of a notorious and scandalous offence committed by any within their Eldership, they shall forthwith proceed to the Examination thereof; and if they cannot finish their examination till the week before the Sacrament, and they shall then finde by sufficient prooffe that he hath committed a notorious and scandalous Offence, and yet they cannot



not certifie the same before the Sacrament, it being to be administred within a week after, in such case the Party shall abstaine from the Sacrament for the next time onely, unlesse the Committee of Parliament to whom the same is to be certified, shall adjudge the same a notorious and scandalous offence, and so proved; for which he ought to be kept from the Sacrament: and in such case, upon the testifying of his repentance to the Eldership, he shall be againe restored to the Sacrament, and not before.

And be it further Ordained, If any shall finde themselves agrieved with the judgement against him given by the said Committee, they shall appeale from thence to both Houses of Parliament if they see cause.

And be it Ordained, That the Committee to whom the said Certificate shall be made, as aforesaid, shall report to both Houses the said severall Cases to them certified, and their judgements thereupon, that so the offences not yet enumerated may be added to the enumeration, in case the Houses shall so thinke fit, and in their Reports they shall take care that they first re-

port those Certificates and their opinions there-  
upon, wherein they at any time shall differ from  
the Eldership.

And be it further Ordained. That this Ordi-  
nance shall continue for the space of three yeers  
and no longer, unlesse both Houses think fit to  
continue it.

*Job. Browne Cler. Parliamentorum.*

Remedies



22 Aprill, 1647.

## Remedies for removing some Obstructions in Church-Government.

*Resolved &c.*

**T**Hat Letters from the Speakers of both Houses be sent into all Counties ( from whence no returne hath been certified ) That their respective Counties be divided into distinct Classes, and the same certified forthwith, with the Names of Ministers and others fit to be of each Classis, according to the Ordinance.

2 That such returnes from any of the Counties as are already made, or shall hereafter be made, be referred to be considered of by the Committee of Lords & Commons for judging of Scandall, and that so soone as such returnes shall be made, the Speakers of both Houses doe send the said returnes to the said Committee accordingly ; and that such being by them considered of and allowed , shall have power to act according



according to Ordinance of Parliament.

3 That the severall Classes constituted by Parliament, in the severall Counties within the Limits of the said respective Classes, where no Congregationall Presbyteries are already settled, shall have from time to time power to nominate such Ministers and others as are qualified according to the Ordinance, to joine with them in the same, to be approved by the Committee of Lords and Commons appointed to judge of Scandall, untill such time as Congregationall Presbyteries shall be settled within the said respective precincts: And when the said Congregationall Presbyteries shall be settled within the said Limits, That then the said Congregationall Presbyteries shall act according to the power and directions of the Ordinance in that behalf; And that such power shall be executed, not onely in cases of death, or other departure of any Minister or Elder from the place of their wonted dwelling, but also in case of increase of Ministers and Congregationall Elderships in their severall precincts.

4 That at any such time as seven Congregationall

gationall Elderships, or more shall be constituted in any Classicall precinct in any of the Counties, by the respective Classes established by Parliament, the same shall by them be signified to the severall Congregationall Elderships so established; and the said Congregationall Elderships shall forthwith proceed to depute such of their Elders as are most fit, who together with their Ministers (according to the Ordinance of Parliament) shall meet as a Classis, and shall be, to all intents and purposes, thenceforth the Classis of that precinct, and execute all power belonging to such or any former Classis, and the Classis formerly constituted by Parliament, shall cease as to that precinct.

5 That the Elders of the Classis of the Province of London, shall hold their Provinciaall Assembly in the Convocation-House at Pauls Church in London, upon the first Munday in May next ensuing, and may adjourn their meeting *de die in diem*, and conclude their meeting with adjournment unto the next opportunity, according to the Ordinance of Parliament: And that no Act shall passe or be valid in the said

saide Province of *London*, but what shall be done by the number of Six and thirty present, or the major part of them, whereof Twelve to bee Ministers, and Four and twenty to be Ruling-Elders; and that the first meeting of the Provinciall Assemblies in the severall Counties, be appointed by the Committee of Lords and Commons aforesaid, and may adjourne as aforesaid; who are to appoint the number of which each Province shall consist, and the *Quorum* that shall act in each Province.

6 That in the Classicall meeting of all Classes that which shall be done by the major part present, shall be esteemed as the act of the whole Classicall number; and the same to hold in the City of *London* in their meeting of Triers, and in all their Classicall meetings, and in the severall Counties; and that no act done by any Classis shall be valid and good, unlesse it be done by the number of fifteen present, or the major part of them, whereof five to be Ministers, and ten to be Ruling Elders.

*Job. Browne Cler. Parliamentorum.*

**F. I. N. I. S.**